

**STATE WATER RESOURCES CONTROL BOARD  
RESOLUTION NO. 2016-0006**

**ADOPTION OF CRITERIA AND DELEGATION OF AUTHORITY PERTAINING  
TO EXTENSION OF TIME FOR PUBLIC WATER SYSTEMS TO ACHIEVE  
COMPLIANCE WITH THE PRIMARY DRINKING WATER STANDARD FOR  
HEXAVALENT CHROMIUM**

**WHEREAS:**

1. The State Department of Public Health adopted regulations, effective July 1, 2014, which established a primary drinking water standard Maximum Contaminant Level (MCL) for hexavalent chromium.
2. Regulatory oversight of public water systems was transferred to the State Water Resources Control Board (State Water Board) from the State Department of Public Health effective July 1, 2014;
3. Public water systems classified as community water systems and non-transient non-community water systems must comply with the MCL;
4. Senate Bill (SB) 385, chaptered on or about September 4, 2015, added section 116431 to the California Health & Safety Code; pertaining to the State Water Board's authority to grant a public water system a period of time to achieve compliance with the primary drinking water standard for hexavalent chromium;
5. As an urgency bill, SB 385 took effect immediately;
6. California Health & Safety Code, section 116431 includes in relevant part:

“(g) The state board may implement, interpret, or make specific the provisions of this section by means of criteria, published on its Internet Web site. This action by the state board shall not be subject to the rulemaking requirements of the Administrative Procedure Act”; and
7. The State Water Board's Division of Drinking Water has prepared draft criteria it deems necessary for implementation of SB 385 (California Health & Safety Code, section 116431).

**THEREFORE BE IT RESOLVED THAT:**

1. The State Water Board adopts the [draft criteria](#) prepared by the State Water Board's Division of Drinking Water for implementation of SB 385 (California Health & Safety Code, section 116431) and approves said criteria for publication on its internet website.

2. The State Water Board hereby delegates, to the Executive Director or his delegee, all authority to approve modifications to said criteria.

### **CERTIFICATION**

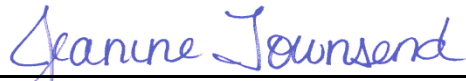
The undersigned Clerk to the Board does hereby certify that the foregoing is a full, true, and correct copy of a resolution duly and regularly adopted at a meeting of the State Water Board held on February 2, 2016.

AYE: Vice Chair Frances Spivy-Weber  
Board Member Tam M. Doduc  
Board Member Steven Moore  
Board Member Dorene D'Adamo

NAY: None

ABSENT: Chair Felicia Marcus

ABSTAIN: None



---

Jeanine Townsend  
Clerk to the Board